1926.
File 143.
Case of John Harvey.

DAMASCUS

1926

CASE OF JOHN HARVEY DESERTER FROM FOREIGN LEGION.

REC^d 14th June 1926
REGISTER No 876
No OF FILE 143
SERIAL No 1~~88~~

Reply To

John Harvey
for Regt Etranger
De Car
Cathedral
Damascus

14th June 1926

Dear Sir

I wrote to you sometime
ago and have not received
a reply to my letter nor have
you come around to see me,
Sir I do wish you would
come around ~~hoo~~ has I have
several important matter
to discuss with you concerning
my ~~fol~~ people at home. I am
a long way from old England
and I have only one friend
in this part of the World ;
he is an American, a fellow
Legionaire, his Consul was

around about a week ago and brought several things around which I had a share of. Dear Sir I hope you will excuse me writing in this manner but truth to tell I am getting homesick and tired, I suppose its my fault I joined the Legion but the same as my American said we must stick it out until we finish our time, I joined the Legion for adventure and I dont mind telling you Ive had more than I wanted,

Hoping Sir you will come and see me I am

Yours truly

John [redacted]

John Harvey
Matricule 14 64
1er Regt Etrangers
Le Leav

4em escond

Dear Sir

I hope you will excuse me of taking the liberty of writing to you but has you are the British consul in this country the only person I know of who I can write to. In the first place I must explain who I am, My name is John Harvey I was Born in No 9 Alexandra St. Abertysswg. Monmouthshire South Wales. England. and lived there until 1925 with my father and mother, done my bit in the big war after got fed up with home

and joined the French
Legion I have been in this
Country about 5 month and
fought all over it very near
well I think Ive explained
who I am and what I am,
Dear Sir what I wish to
ask you is would you be
so kind as to send me
a few English Books and
a few Cigrettes Because at
present I am in the
Citadel in Damascus
for trying to walk to
Palstine getting within
2 kilos of the Border
they brought me back.
Dear Sir if you will answer
my letter or if you can
come and see me I would
like you to write a letter
to England for me as it
concerns money and of

which I took
with me. Hoping
You will answer my letter
and send me a few Book
and papers I am so fond
You as a friend
Yours Respectfully
John Adams

JRVR/AMF

BRITISH CONSULATE,
Damascus, Syria,
17th June, 1926.

REC^d
REGISTER N° 1499
N° OF FILE 143
SERIAL N. 2

No.202

Sir,

I have the honour to report that I received a few days ago a letter from one JOHN HARVEY, a British Legionary in the 1st Cavalry Squadron of the French Foreign Legion, stating that he was imprisoned in the Citadel at Damascus, and that he would be glad if I would visit him and bring him some cigarettes and reading matter.

2. Owing to pressure of work, I did not immediately go and see him, particularly as I had heard from my American Colleague that he had just visited an American fellow prisoner in the Citadel and there was no question of these Legionaries complaining of their treatment.

3. To-day, however, I called upon the President of the Military Court in Damascus and obtained from him a permit to visit the prisoner in the Citadel. In conversation, I discussed the nature of the charge against Harvey and the penalty to which he was liable. It appears that Harvey, with three other Legionaries, attempted to desert from the French Army towards the beginning of May. After only two days absence the four deserters were recaptured and placed under arrest; they are now in military custody in the Citadel and on the point of being tried. I learned that as Harvey has hitherto had a splendid record as a Legionary and that, as the French Authorities

His Majesty's Principal
Secretary of State for
Foreign Affairs,
Etc., Etc., Etc.,
Foreign Office,
LONDON, S.W.1

Authorities consider that there are attenuating circumstances in this case, the verdict of the trial of the prisoner is not expected to be very severe. Although desertion in a theatre of war constitutes a most serious military crime, the President of the Military Court, Captain Pougny, informed me confidentially that there was absolutely no question whatever of the Court inflicting the death penalty in Harvey's case. At the worst, he would be sentenced to a term of imprisonment and even though it might be long, it was fairly common to commute such sentences. Harvey, he said, might be expected to serve six months' imprisonment.

4. Later in the day, I visited Harvey in the Citadel and brought him some cigarettes, books and newspapers. No objection was made to the supply of the above articles to the prisoner and the Prison Authorities appeared to me kind and lenient towards Harvey. He seemed very cheerful and did not complain of his lot. He recognised the crime he had committed and said he was prepared to see the affair through. He gave me a résumé of his career in the Foreign Legion stating that he had commenced service in July 1925 and, after spending five months in Tunis, arrived in Syria in January last. Since that date he said that he had been almost continuously in action. He had been present at the recent capture of Sueida and said that he had been recommended for the Croix de Guerre for bravery in the field. It was shortly after this that, owing to the bad and insufficient food with which he and the Foreign Legion in general was supplied, he decided to attempt to desert. He said that when within about half a mile of the Syrian frontier he and his three

comrades

comrades had had a hand to hand encounter with Druzes whom they had beaten off. They had hardly escaped from the Druzes than they ran straight into a French patrol on the frontier and were arrested.

5. Harvey asked me to communicate with his parents in England and to let them know that he was safe and well. I promised to do so and wrote to-day to his father, whose address is: 9, Alexandra Street,

Abertyssswy,

Monmouthshire.

I wrote reassuringly and promised to do all in my power for the welfare of his son, whom I explained had got himself into a scrape. I added, though, that I did not anticipate any serious consequences for him.

6. I have ventured to report upon this case as I understand that the American Press has given much (in fact undue) prominence to the arrest of Harvey's American fellow prisoner. I am informed that the matter has been grossly misrepresented and exaggerated. The "Daily Express" of London have sent their Palestine Correspondent here to forward details of Harvey's arrest and trial. I have informed the above correspondent, a certain Mr. G. Agronsky, that I strongly deprecate the giving of publicity to Harvey's case. He has promised to send to his newspaper a moderate message, devoid of sensational colouring, indicating that the prisoner is safe and well and awaiting trial. I pointed out that I was of opinion that the French Authorities were entirely within their rights to treat Harvey as they would any of their own military prisoners and that interventionon my part or publicity on the affair

in

in the British Press would increase rather than diminish the chances of the prisoner receiving a light sentence. I added that if we gave undue publicity to the case, the French Authorities would have every reason to complain that we were unfairly critical and interfering in their affairs.

7. I trust that the above action meets with your approval. I would, however, be glad to know whether you consider any intervention on my part is possible and if so, what action should be taken by me to safeguard the interests of the prisoner.

I have the honour to be,
With the highest respect,
Sir,
Your most obedient,
humble servant,

(signed) J.R. VAUGHAN-RUSSELL

R & R
P.P.P
JR

Telegram

REC^d 25^th June 1926
REGISTER N^o 919
N^o OF FILE 143
SERIAL N. 4

From : F.O.
Desp 24
Rec^d. 25 June, 1926
No. 21

(R. 1925)

Parliamentary questions call attention to Press report that John Harvey, British subject is imprisoned in Citadel at Damascus on charge of desertion from Foreign Legion. You should take any action possible to assist him and report by despatch.

Sec. of State for F.A.

Telegram

REC[d] 25-Ah June 1926
REGISTER N° 920
N° OF FILE 143
SERIAL N° 5

From. F.O.
Desp. 24
Recd. 25- June 1926.

No. 22.
(R 1925).

Cav
Infde 1 Bn 2 Lt

Any immediately preceding telegram
Please report whether Harvey appealed
that six British deserters from
Foreign Legion are now under
arrest in Damascus.

There is a remote possibility
of one of these may be Private
Allan Josha TENNANT
formerly 1st. Battalion London
Scottish reported missing at
Cambrai on Nov. 24th 1917
but believed by his
relations to have escaped, lost his
memory & enlisted in Foreign
Legion after the war.

Your report should
include any evidence on this
point. Sec. of State for F.A.

Statement

No other Brit. in 7 Leg. in Syr.

When at Lucida an Inf Leg^re (Luxbg German) name unknown

who spoke English said that at Sidi Belabes (Algeria) Inf Depot of F.L.
there was a strange Englishman named Tennant. He
had vol to go to Morocco in 1923, & left for Morocco
Fate unknown (? among deserters to Spanish zone)

X wealthy, engaged a Batman (motorcycle time)

Nichols (Bandsman American in Leg 6 years at
Sidi Belabes Recd Medal and left)

JRVR/AEF

British Consulate,
DAMASCUS, (SYRIA),
25th June, 1926.

REC[d]
REGISTER N° 1519
N° OF FILE 143
SERIAL N. 6

No. 204

Sir,

With reference to your telegrams Nos.21 and 22 of yesterday's date, I have the honour to refer you to my despatch No.202 of the 17th instant.

2. On receipt of your two telegrams referred to above, I went to the Citadel and visited Harvey again. As mentioned in paragraph 3 of my despatch under reference he is still under arrest in the Citadel here and awaiting trial. He mentioned to me that he had not yet undergone his Preliminary Interrogation although the three other Legionaries, who attempted to desert at the same time as he did, had been through their Interrogation; he did not know why his case had not yet been examined.

3. As regards Harvey's case, therefore, there is little to add. The prisoner is not complaining of his treatment, is as comfortable as can be reasonably expected in the circumstances and is being treated with no little leniency by the Prison Authorities. I do not think, therefore, that there are any grounds upon which I can make any representations on his behalf to the French Military Authorities. If, in addition to the action already ...

His Majesty's Principal
Secretary of State for
Foreign Affairs,
Etc., Etc., Etc.,
Foreign Office,
LONDON, S.W.1

Copy to the British Liaison Officer, Beyrout.

already taken, there is any other form of assistance which I am entitled to and should render to John Harvey, I should be grateful to know what that form of assistance is.

4. In reply to your enquiry regarding the presence of six other British subjects in the Foreign Legion, I learn from John Harvey that he thinks he is the only British subject in the ranks of the Foreign Legion (Cavalry and Infantry) in Syria. Harvey, on being questioned, stated that he was convinced of this, as he knew all his fellow legionaries in his (i.e. the first) Cavalry Squadron which is the only Foreign Legion Cavalry Squadron in Syria. His American fellow-prisoner a man known as Gilbert Clare, who is serving in the only Infantry Battalion of the Foreign Legion in Syria assures him that there are no British subjects in the Infantry of the Foreign Legion.

5. I think, therefore, that there is no doubt that Harvey is the only British subject in the Foreign Legion in Syria. To make sure, I am sending a copy of this despatch to the British Liaison Officer at Beyrout with the request that he may cause unofficial enquiries on this point to be made through the French Military Headquarters. I would deprecate a formal official enquiry as I think the French Authorities already feel rather sore about the unnecessary and unseemly publicity given in the American Press to the imprisonment of these foreigners in their Foreign Legion.

6. The possibility that Private Allan John Tennant formerly

formerly of the London Scottish, is in the Foreign Legion in Syria can, I think, be dismissed. I enquired from John Harvey whether he had heard of Tennant, or knew him. Harvey said that he did not know him but that he had heard of him and gave me the following details concerning him.

7. He said that, when at Sueida, he met among his fellow-legionaries a Luxemburger (name unknown) who spoke English and who had known a legionary named Tennant when at (?) Sidi Belabes (Algeria) - the dépot of the Foreign Legion.- Tennant was, he said, a strange man; he appeared to be possessed of private means and engaged a servant - an unusual thing for a legionary to do. He had volunteered for service in Morocco and had apparently gone there in 1923. His subsequent movements were unknown. Harvey's friend mentioned that there was an American Bandsman in the Foreign Legion at (?) Sidi Belabes who had been there for over six years and had known Tennant fairly well, and might be able to throw light upon his present whereabouts, if he were still alive. He thought that he might have been killed during the lapse of three years (since 1923) but that, as many legionaries had deserted and gone to the Spanish zone, he might have been among these deserters. This, of course, was pure conjecture. Enquiries at (?) Sidi Belabes might, it seems, reveal some information regarding Tennant.

8. I shall not fail to report in due course further developments concerning John Harvey's case.

I .....

I have the honour to be,

with the highest respect,

Sir,

Your most obedient,

humble servant,

(signed): J.R. VAUGHAN-RUSSELL

Acting Consul.

REC. 10th July 1926
REGISTER No. 983
No. OF FILE 143
SERIAL No. 10

Telegram

From Foreign Office

Desp. 9th
Rec'd 10th July 1926

No: 23.

(R 1925).

R & R
P.P.C.

Your despatch No. 202

Your despatch No 204

Action ~~to~~ in Harvey's case approved No further intervention on your part required (?)

Sec. of State for Foreign Affairs.

TROUPES DU LEVANT

RÉGION DE DAMAS

CONSEIL DE GUERRE

Secteur 610

N.———

4 copies

DAMAS, le 19 Juillet 1926

REC'd 21st July 1926

REGISTER N° 1014

N° OF FILE 1143

SERIAL N° 14

Le Capitaine Pougny Commissaire Rapporteur
près le conseil de Guerre de la Région de Damas.

à M. Le Consul de
Sa Majesté Britannique
Consulat britannique
Damas.

Monsieur le Consul,

J'ai l'honneur de vous informer que le légionnaire John Harvey a été condamné le 16 Juillet 1926 à la peine de 8 ans de travaux publics, et qu'il a signé un recours en révision devant le Conseil de révision de Beyrouth.

Veuillez agréer, Monsieur le Consul, l'expression de mes sentiments distingués.

Pougny

REC[d]
REGISTER N° 1642
N° OF FILE 943
SERIAL N. 15

JRVR/AHJ

British Consulate,
Damascus, Syria,
25 July 1926.

No. 225

Sir,

In continuation of my despatch No. 204 of the 25th ultimo, I have the honour to report that the trial of JOHN HARVEY, the British subject serving in the French Foreign Legion, took place on the 17th instant before the French Conseil de Guerre at Damascus.

2. I have the honour to enclose herewith copy of a letter notifying me of the verdict of the Court, which sentenced HARVEY and CLARK, (the American Prisoner) each to 8 years' hard labour, and their two German accomplices each to 5 years' hard labour.

3. I visited HARVEY in the Citadel today and discussed with him his trial and the sentence given by the Court. HARVEY, though in good spirits, is suffering from bad health as the result of the disgracefully inadequate and poor food supplied to him and of the bad conditions under which he (like his fellow-prisoners) is being imprisoned. Conditions in the Citadel of Damascus can with scarcely any exaggeration be compared to those prevailing in the Dungeons of Middle Ages or in the Black Hole of Calcutta. I find it difficult to repress my feelings of.....

His Majesty's
Principal Secretary of State for
Foreign Affairs
&c., &c., &c.,
Foreign Office.

LONDON, S.W.1.

Copy to Beyrout (No.206)

of disgust and indignation when I visit the Citadel and see the manner in which HARVEY and other prisoners are kept in custody. So far, however, I have not made any comment on this to the French Military Authorities. I have, however, to-day spoken to the Prison Authorities and urged them to see that HARVEY is given medical treatment. As, however, HARVEY has appealed against his sentence and leaves for Beyrout in a few days, it can only be hoped that his imprisonment in a different and less dirty and crowded place will benefit his health.

4. HARVEY complained that the sentences passed by the Court Martial on him and on the other three men tried at the same time had been more than usually severe. Cases much more serious than theirs had been dealt with much more leniently and he was of opinion that he and CLARE (the American Legionary) had been specially singled out for severe treatment. The two Germans who were sentenced to 5 years' hard labour in every way deserved to receive exactly the same sentence as himself and CLARE, and he did not understand why he had been penalised.

5. As, however, HARVEY has appealed against his sentence and the case will be heard in Beyrout shortly no doubt Mr. Consul General Satow, to whom I have forwarded a copy of this despatch, will watch the case if he considers that this is desirable.

I have the honour to be,
With the highest respect,
Sir,
Your most obedient,
humble servant,

(Sd.) J.R. Vaughan Russell.

H.M. Acting Consul.

TROUPES DU LEVANT

REGION DE DAMAS.

CONSEIL DE GUERRE

Secteur 610

No....

Damas, le 19 Juillet 1926.

COPY

Le Capitaine Pougny Commissaire Rapporteur
près le conseil de Guerre de la Région de Damas

A M. le Consul de Sa Majesté Britannique
Damas.

Monsieur le Consul,

J'ai l'honneur de vous informer que le légionnaire John Harvey a été condamné le 16 Juillet 1926 à la peine de 8 ans de travaux publics, et qu'il a signé un recours en révision devant le Conseil de Révision de Beyrouth.

Veuillez agréer, Monsieur le Consul, l'expression de mes sentiments distingués.

(signed): POUGNY

REC'd 5th Aug. 1926
REGISTER N° 1083
N° OF FILE 1113
SERIAL N. 16

Forwarded to H.B.M's Consul
Damascus, with the compliments
of H.B.M's Consul General at
Beyrout.

AUGUST 4th, 1926.

HES/MA

Copies to-Algiers,
Damascus.

H.B.M.Consulate General,

BEYROUT, August 4th, 1926.

No. 155

Sir,

On the receipt of Damascus despatch No. 225 of July 25th relative to John Harvey, a British deserter from the French Foreign Legion, I at once made enquiries as to whether he was here and what had happened to him both of the Acting High Commissioner and through the British Liaison Officer.

2. The former has not yet replied, although a reply is said to be on its way to me. Major Salisbury-Jones tells me that Harvey is still in Damascus, that his appeal (recours en révision") has been rejected by the "Conseil de Révision" here, that his sentence of eight years is now definite and final and that he will only be sent down to Beyrout in time to embark for Algeria where he will serve his sentence. I understand that the sittings of the "Conseil de Révision" are

His Majesty's
Principal Secretary of State
for Foreign Affairs
etc.,etc.,etc.,
S.W.1

are not public and that the accused party is not heard. The "Conseil" seems to act as a Court of Cassation which examines the case to see whether any irregularities of procedure have occurred. In the present instance no irregularities are deemed to have occurred and for this reason Harvey's appeal was rejected.

5. In the circumstances the only hope of obtaining any mitigation of Harvey's apparently severe sentence lies in diplomatic representations at Paris made by His Majesty's Ambassador. It is my impression that such representations if made after a decent interval might be successful, all the more so as the case of Claire, the American citizen, who was also sentenced to eight years hard labour, has aroused much interest in the United States. From all accounts Harvey is a decent fellow and a good soldier, and his foolish act was probably due to depression caused by the hard conditions of service in the Jebel Druze and bad food.

I have the honour to be, with the highest respect,

Sir,

Your most obedient,

Humble servant

(Signed)H.E.SATOW.